## REMARKS

Favorable reconsideration and allowance are respectfully requested. Claims 10-20 are pending. By this amendment, claims 10, 11, 13, 14 and 17 have been amended to correct certain clerical errors in the claims. Moreover, the structural formula for $Ar_1$ and $Ar_2$ in claims 10 and 14 has been amended. Support for this amendment can be found in the instant specification, *inter alia*, in compounds IV-16 to IV-22, IV-34 and IV-35. Therefore, these amendments do not introduce new matter.

As a preliminary matter, the Examiner noted that although the priority document was received in compliance with rule 17.1 (a) or (b), Applicants have not provided a certified translation of Chinese Application No. 02111934.1. It is Applicants' understanding that pursuant to 37 C.F.R. §1.55(a)(4)(i), an English language translation of a non-English language foreign priority application is not required unless the application is involved in an interference, the translation is necessary to overcome the date of a reference relied upon by the Examiner, or the translation is specifically required by the Examiner. Since none of these exceptions apply, a translation of the Chinese application has not been submitted.

### Claim Objections

Claims 15-16 and 18-20 were objected to as dependent upon a rejected base claim. While the Examiner noted that the claims would be allowable if they were rewritten in independent form, in view of the foregoing amendments and the remarks below, Applicants respectfully submit that all of the pending claims are in condition for allowance.

**Rejection Under 35 U.S. C. § 112, Second Paragraph**

Claims 11-13 and 17 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite. In particular, claims 11-13 and 17 were rejected as depending from a cancelled base claim. Applicants have amended the claims to correct this clerical error. Withdrawal of the rejection is respectfully requested.

**Rejection Under 35 U.S. C. § 102(b)**

Claims 10, 14 and 19 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Dartois et al., WO 2002050061 ("Dartois"). Moreover, claims 10 and 14 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Lutz et al., J. Org. Chem. (1947) 12: 771-5 ("Lutz"). Still further, claims 10 and 14 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by Baltzly et al., J.Amer. Chem. Soc. (1944) 66: 263-6 ("Baltzly"). The Examiner alleged that Dartois, Lutz and Baltzly teach various piperazine compounds such as those instantly claimed.

Without conceding the propriety of the rejection, Applicants have amended the definition of $Ar_1$ and $Ar_2$ in claims 10 and 14. The claimed compounds therefore differ significantly from Dartois, Lutz, or Baltzly. To anticipate a claim, a single source must contain all of the elements of the claim. *See Hybritech Inc. v. Monoclonal Antibodies, Inc.*, 802 F.2d 1367, 1379 (Fed. Cir. 1986); *Atlas Powder Co. v. E.I. du Pont De Nemours & Co.*, 750 F.2d 1569, 1574 (Fed. Cir. 1984). The cited references do not disclose a compound that meets all of the limitations of the claimed genus. Therefore, Dartois, Lutz, or Baltzly cannot anticipate the instant claims. Favorable reconsideration and withdrawal of the anticipation rejection are respectfully requested.

## CONCLUSION

In view of the foregoing remarks and amendments, favorable consideration and allowance of all pending claims is respectfully requested.

Respectfully submitted,

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